

Not for Publication

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

BOBST NORTH AMERICA, assignee of JAKE
GRAY ENTERPRISES, LLC d/b/a PRINT
PACKAGING EQUIPMENT,

Plaintiff,

v.

EC3, LLC and EASTCOAST PACKAGING,
INC

Defendants.

Civil Action No. 17-5507
(JMV) (CLW)

ORDER

John Michael Vazquez, U.S.D.J.

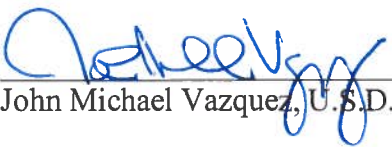
This case comes before the Court on Plaintiff Bobst North America's ("Plaintiff") motion for declaratory and default judgment, D.E. 5.¹ The Court is in receipt of Plaintiff's letter dated February 1, 2018, D.E. 12, requesting that the Court address the motion for default judgment. The Court has reviewed the motion, D.E. 5, and the Complaint filed in the Superior Court of New Jersey, Essex County Law Division. D.E. 1. Defendants removed the matter this Court. *Id.* The Complaint sets forth five counts, but with the exception of the fifth count (which mentions unjust enrichment, among other things), none of the counts indicate the basis for recovery, such as breach of contract. Similarly, Plaintiff's current motion is not briefed and fails to mention, much less analyze, its theories of liability. For the foregoing reasons, and for good cause shown,

¹ The motion itself appears to only request a default judgment, not a declaratory judgment. However, Plaintiff filed its motion on the docket as one for declaratory relief.

IT IS on this 5th day of February, 2018,

ORDERED that Plaintiff's motion for declaratory judgment and default judgment, D.E. 5, is **DENIED** without prejudice; and it is further

ORDERED that within thirty days (30) of this Order, Plaintiff may re-file its motion, including a memorandum of law that sets forth its legal basis as to liability and for the relief sought.


John Michael Vazquez, U.S.D.J.